IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIPUR BENCH JAIPUR.

O R D E R

D.B. CIVIL SPECIAL APPEAL (WRIT) NO.1276/2007.
In
S.B. CIVIL WRIT PETITION NO.3694/2007.

Bhagwan Singh and ors.
Vs.
State of Rajasthan and ors.

Date of Order:- November 19, 2007.

HON'BLE THE ACTING CHIEF JUSTICE MR.RAJESH BALIA
HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Mr. Prahlad Singh for the appellants.
Mr. Gurvinder Singh on behalf of
Mr. G.S. Gill, Additional Advocate General for the State.
Mr. R.D. Rastogi for respondents No.12 to 16.

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Having considered the submissions of the learned counsel for the parties, we are of the opinio that no case is made out for interference in the matter vacating interim-relief granted in favour of the petitioners.

The petition has been filed by the petitioners who are holding the Diploma in Engineering in various disciplines alleging that abolition of all cadre posts of Junior Engineer by envisaging their promotion to the State

Service as Assistant Engineer is dehors and apprehended that ultimate removal of cadre of Junior Engineering in the Rules would result in destroying the employment opportunities for Diploma Holders in Engineering Branch though, courses of Diploma in Engineering are being run by the various Polytechnic and other institutions under the State department of Technical education. It is highly improper for the State Government that on the one hand it is pursuing the training courses of Diploma in Engineering but on the other hand, curtailing the opportunities of employment for such diploma holders.

The apprehension spelled out by the petitioners appears to be genuine and need consideration on merit as to for what relief, if any, they are entitled to, but we are of the opinion that this by itself is not sufficient enough to grant the interim-relief restraining the respondents from taking any action in future in furtherance of policy which they may lay down for themselves and this can be adjudged at the

time of final arguments. But till then grant of interim relief, in our opinion, is not a solution.

The appeal is dismissed.

(MOHAMMAD RAFIQ), J. (RAJESH BALIA) Actg.CJ.

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